

TOWN OF MANSFIELD

Affordable Housing Production Plan

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MANSFIELD HOUSING PLAN

Plan Summary

The Mansfield Housing Plan is based on six key steps to reduce housing barriers:

1. **Build local development capacity.** Increase capacity by forming a local non-profit development corporation.
2. **Make effective use of zoning.** Amend the zoning bylaw to require new developments over a certain size to provide affordable units or funds that the town can use to develop new affordable units, and offer a modest density increase to projects that trigger the inclusionary regulations. As part of Mansfield's downtown planning study, the town should also evaluate the merits of adopting a higher-density, mixed-use zoning district for downtown and adjacent residential neighborhoods. Finally, the town should consider an overlay district for underutilized commercial or industrial land, offering density and mixed-use incentives to stimulate new investment and affordable housing production.
3. **Use Chapter 40B strategically.** In areas appropriate for higher-density housing, identify town-owned land and privately owned vacant land that could support small-scale housing development, and substandard properties that could be renovated to include affordable units. Enlist participation from the town's non-profit housing development corporation and qualified, trustworthy private developers to build or redevelop units in these locations.
4. **Provide town land.** Identify and prioritize small town-owned parcels that can be sold to the local development corporation or other non-profit groups such as Habitat for Humanity, and used for scattered-site single-family or two-family dwellings. Vacant land owned by the Mansfield Housing Authority should be included in this review. Proceeds from the sale of town-owned land should be retained in an Affordable Housing Trust Fund for reinvestment in other affordable housing initiatives. The trust fund should be created by a special act of the legislature.
5. **Evaluate tax title parcels.** Establish criteria to evaluate tax title parcels for their suitability as affordable housing sites, and develop standard disposition documents to procure for qualified affordable housing developers.
6. **Capitalize on market opportunities.** Identify and prioritize older and/or obsolete residential and non-residential buildings with redevelopment potential, and develop a shortlist of properties to acquire, reposition and sell or rent. These types of projects could be carried out by the local non-profit development corporation on its own, by the town in partnership with the non-profit, or by the town in conjunction with a selected private developer. Creative use of tax policies, such as obtaining home-rule authority to lower or waive property taxes for elderly homeowners who grant the

town a right of first refusal to purchase their home at a reduced price, could help to establish a small pipeline of properties that Mansfield could convert to affordable dwellings in the future.

Production Goals

Mansfield seeks to increase its inventory of Chapter 40B units at a pace generally consistent with the following production schedule. Since the town has a small Chapter 40B gap to fill, it should be possible for Mansfield to achieve 10% in three to four years.

MANSFIELD AFFORDABLE HOUSING GOALS (APPROXIMATE)

New Market Units (Building Permits)	83	47	79	140
New Chapter 40B Units	0	0	0	49
CALENDAR YEAR	2000	2001	2002	2003
Total Year-Round Homes	8,083	8,213	8,292	8,481
Chapter 40B Units	577	577	577	626
10% Requirement	808	821	829	848
Chapter 40B Gap	231	244	252	222
Required # for .75 of 1%	61	62	62	64
New Market Units (Building Permits)	50	50	50	50
New Chapter 40B Units	66	65	66	67
CALENDAR YEAR	2004	2005	2006	2007
Total Year-Round Homes	8,597	8,712	8,828	8,945
Chapter 40B Units	692	757	823	890
10% Requirement	860	871	883	895
Chapter 40B Gap	168	114	60	5
Required # for .75 of 1%	64	65	66	67
New Market Units (Building Permits)	50	50	50	
New Chapter 40B Units	15	15	15	
CALENDAR YEAR	2008	2009	2010	
Total Year-Round Homes	9,010	9,075	9,140	
Chapter 40B Units	905	920	935	
10% Requirement	901	908	914	
Chapter 40B Gap	-4	-13	-21	
Required # for .75 of 1%	N/A	N/A	N/A	

MANSFIELD HOUSING PLAN

I. Introduction

Mansfield is a maturely developed suburb of 22,414 people, located at the crossroads of I-495 and I-95 in Southeastern Massachusetts. Bounded by Attleboro, North Attleborough, Plainville, Foxborough, Easton and Norton, Mansfield is in one of the Commonwealth's high-growth regions and its recent history attests to trends that have occurred in many communities along I-495. At mid-century, Mansfield was largely undeveloped and rural, with 85% of its land in agricultural or forest uses. Despite a sustained period of slow population growth before and after World War II, Mansfield was destined to change by the mid-1950s. The interstate highway system, the demise of New England agriculture, and federal housing policies that encouraged new-home construction converged to make communities like Mansfield candidates for rapid growth. By 1970, the town had lost more than 70% of the farmland that existed in 1950, and between 1950-2000, 2,900 acres of forest were converted to subdivisions, business and industrial sites, and transportation facilities.¹

Land Use Change, Mansfield: 1971-1999

Land Use	1971 Use	1985 Use	1999 Use	Absolute Change
Agriculture	762	572	383	-379
Forest	8,824	7,615	6,084	-2,741
Recreation & Urban Open Space	252	391	384	132
Multifamily Residential	5	54	88	83
Moderate-Density Residential	710	865	1,661	951
Low-Density Residential	1,196	1,588	2,361	1,165
Commercial	103	114	142	39
Industrial	82	474	555	473
Transportation	223	556	616	393
Open Land, Mining & Other Uses	576	498	454	-122
Wetlands	214	200	187	-27
Water	142	161	174	33

Source: MassGIS.

Patterns of land use change often run parallel to trends in the housing market, and Mansfield seems to be no exception. After 1970, the amount of land used for residential development increased significantly and in the ensuing 30 years, Mansfield absorbed 2,769 new house lots.² Between 1985-2000, however, the town lost far more land to new

¹ Mansfield Master Plan (December 1996), "Land Use Distribution and Changes Over 40 Years," 28-34 passim; MassGIS Vector Library [online database], "luph167.dbf," [accessed 4 January 2004]. Calculations by author.

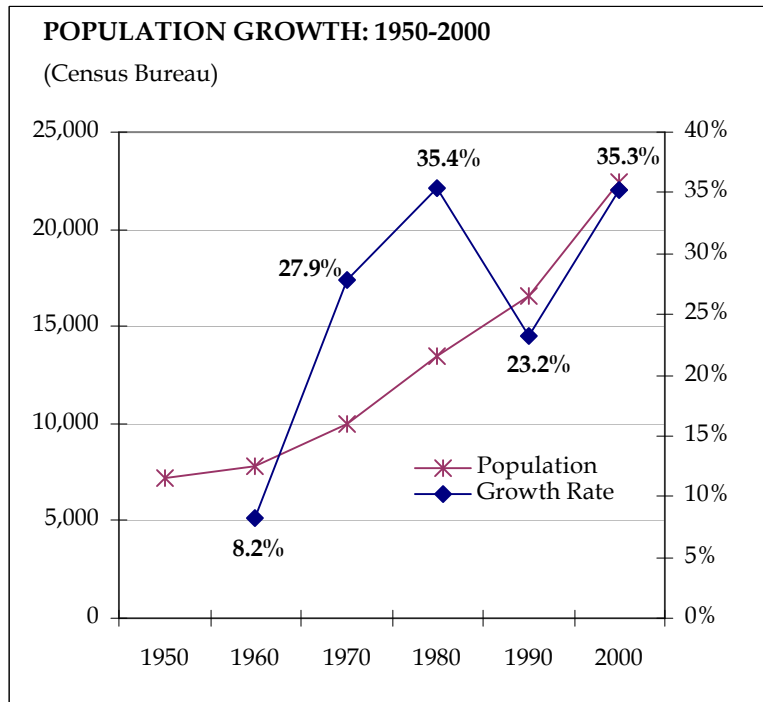
² Mansfield Planning Department, "Definitive Approved Subdivisions," 1970-2003.

homes than in the 1960s and 1970s when Mansfield's population growth began to accelerate. Low-density development became the norm as vacant land around Eastman, Franklin and Maple Streets in the eastern end of town and areas west of I-495 was cleared for new homes (Map 1). Comparatively larger house lots such as those found in subdivisions off Essex Street, Stearns Avenue, Tremont and Gilbert Streets are indicative of the ways that regulations and market preferences work together as agents of sprawl on one

hand, and high-cost development on the other. Not surprisingly, home prices in Mansfield increased significantly after the mid-1980s – a measure of demand for homes from the youngest Baby-Boomers and a depleting supply of land. When Census 2000 data were released for Massachusetts, Mansfield ranked 12th in the state for rate of population growth and 19th for housing growth.³

Mansfield's robust market and very high rate of population growth suggest that the town is a desirable place to live. Housing developers invest here because Mansfield is such a marketable community – marketable mainly to families. Along with its high population growth rate during the 1990s came a dramatic 64% increase in school enrollments,⁴ and pressure on taxpayers new and old to finance the cost of growth. Not surprisingly, Mansfield has felt many of the same tensions about new development that exist in communities throughout the I-495 corridor.

Today, the town is challenged to maintain its traditional mix of homes and people. Market production of high-cost housing and new commercial and industrial development have strengthened and enhanced Mansfield's tax base, but the town has become increasingly unaffordable to senior and young citizens. Regionally, Mansfield



³ Bureau of the Census, [online database] Census 2000, 1990 Census of Population and Housing, Summary File 1, Tables P1, H1 (2000), P0-1, H0-1 (1990), in comma-separated file format, [accessed 18 April 2003 via American FactFinder]. Rankings by author.

⁴ Mass. Department of Education, "Long-Term Trends in K-12 School Enrollments," [online database], Mansfield K-12 Enrollments 1979-2003, in HTML format [accessed 11 January 2004].

has the highest percentages of housing cost burdened homeowners and elderly renters. Its home sale prices and tax bills are second only to Sharon's, but as for median family income, Mansfield is at the regional midpoint. The focus of this housing plan is unmet needs for affordably priced homeownership units for families and elders, and rental units affordable to low-income elders.

II. Population and Household Characteristics

Nearly 74% of Mansfield's households are families: households of two or more people related by blood, marriage or adoption. The high proportion of families in Mansfield is not atypical for the immediate region, but it surpasses both state and the Boston metropolitan area norms. One of the obvious indicators of Mansfield's recent residential growth rate can be found in the make-up of its households and families. The town's average family size (3.34 persons) exceeds all towns in the region and not surprisingly, so does the average number of children under 18 per family.⁵ Mansfield families have an average of 1.9 children and 1.86 school-age children, statistics that distinguish the town from neighboring communities and the state as a whole. The presence of so many children in families explains Mansfield's unusually high population percent of persons under 18 (31.4%) and its unusually low percent of persons over 65 (6.4%). These differences exist in both owner- and renter-occupied dwelling units, for Mansfield has a higher percentage of renter households with children (29.1%) than is the case statewide (26%) or within the Boston area (22.6%).

Households, Families, and Family Composition

	Households	Families	Average % Family Size (Persons)	Families with Children <18 as % All Families	Families with School-Age Children as % All Families
Massachusetts	2,443,580	64.5%	3.11	47.5%	35.9%
Attleboro	16,019	68.2%	3.12	48.9%	36.3%
Easton	7,489	74.4%	3.21	50.3%	37.8%
MANSFIELD	7,942	73.8%	3.34	60.5%	43.1%
N. Attleborough	10,391	69.6%	3.15	51.8%	38.9%
Norton	5,872	76.2%	3.22	55.5%	40.4%
Foxborough	6,141	71.6%	3.15	49.3%	37.2%
Plainville	3,009	67.8%	3.11	49.3%	37.7%
Sharon	5,934	83.1%	3.25	54.5%	44.2%
Boston PMSA	1,323,487	62.3%	3.12	46.9%	34.9%

Source: Census Bureau, Census 2000, Summary File 1, Tables P15, P31, P33, P34, P36.

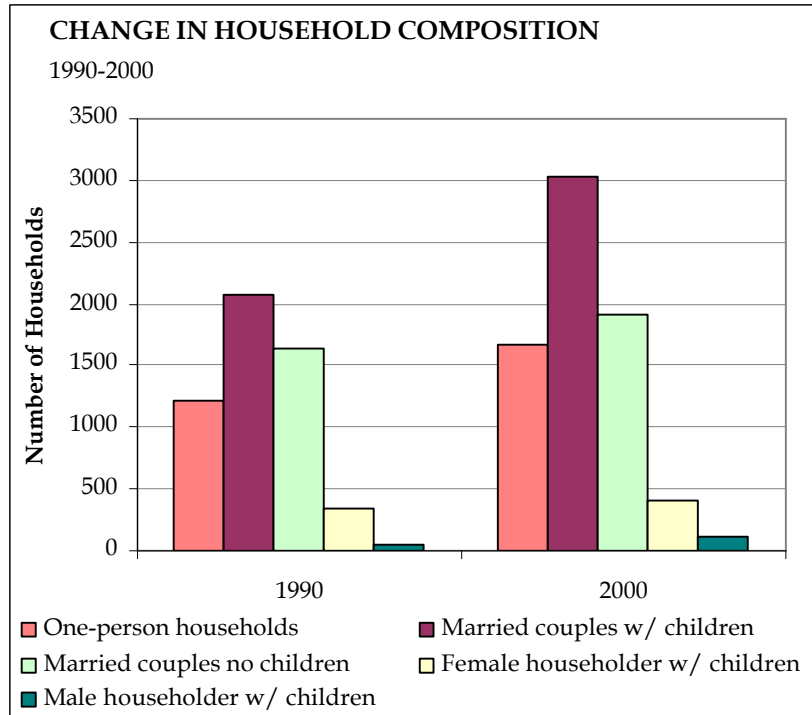
Since 1990, Mansfield has attracted a large share of region-wide household growth and family household growth in particular. For example, Mansfield absorbed 42% of the

⁵ Unless otherwise noted, all demographic statistics presented in this report are based on decennial census data from the U.S. Census Bureau, 1990 Census of Population and Housing, and Census 2000.

region's increase in married couples with children and 21% of the increase in single-parent families with children. In fact, Mansfield experienced a much higher rate of growth in families headed by a single male parent than any community in the region.

Mansfield has always been a family-oriented town, so its current population profile does not represent a substantial departure from the past. A

decade ago, the town surpassed state averages for population percent comprised of children under 18 and household percent comprised of families. The crucial difference between 1990-2000 lies in the rate of household and population growth that occurred in Mansfield compared to the rest of the Commonwealth or to surrounding communities. Overall, Mansfield absorbed significantly higher rates of growth among children under 18 and persons of childbearing age than most towns across the state. While the town also experienced an increase in elderly residents, its population percent of elders remains very low.



Change in Age of Mansfield Population

		%				%	
Age Cohort	1990	2000	Change	Age Cohort	1990	2000	Change
Under 5	1,466	2,154	46.9%	Age 45-54	1,626	2,912	79.1%
Age 5-17	3,071	4,874	58.7%	Age 55-64	938	1,324	41.2%
Age 18-24	1,565	1,186	-24.2%	Age 65-74	704	741	5.3%
Age 25-34	3,692	3,559	-3.6%	Over 75	478	685	43.3%
Age 35-44	3,028	4,979	64.4%				
Total Population					16,568	22,414	35.3%
% Population <18				% Population >65			
Mansfield	27.4%	31.4%		Mansfield	7.1%	6.4%	
Massachusetts	22.5%	23.6%		Massachusetts	13.6%	13.5%	

Source: Bureau of the Census, 1990 Census of Population and Housing, Census 2000, SF1.

Compared to the state as a whole, Mansfield has very little racial or ethnic diversity. Less than 6% of the town's population is comprised of minorities, primarily African

Americans or Asians, and 1.4% of its people are Hispanic. Statewide, minorities constitute 15.5% of the population and Hispanic persons, 6.8%.

According to Census 2000, 12% of Mansfield's over-5 population, or 2,450 people, have a disability. About 300 are between 5-20 years old (6% of that age group), and 596 are 65 or older (about 40% of the town's senior citizens). Individuals may have identified themselves as having sensory, physical or mental disabilities, or a combination of disabilities. Out of 7,970 households in Mansfield, 203 (or 2.5%) receive Supplemental Security Income (SSI).

The Mansfield Housing Authority currently owns and manages 131 units of elderly/handicapped housing, as well as one special needs development that can accommodate 8 individuals. Mansfield also has group home facilities for adult persons with disabilities.

III. Household and Family Incomes

Mansfield's median household income of \$66,925 ranks 82 out of 351 in the state. Its families are slightly better off than families in other communities, for Mansfield's median family income of \$78,058 translates into a state rank of 77. Of course, median income data provide only a glimpse of population wealth. More telling insights can be gained by comparing distributions of wealth, not only for households overall but also for households by age, by presence of children, by family type, and by tenure.

Comparison Household Income Profile

	Median Household Income	% Households earning \$200K or more	Hhld incomes over \$200K % of Aggregate Household Income	Median Family Income	Median Elderly (75+) Income
Massachusetts	\$50,502	3.5%	18.2%	\$61,664	\$21,522
Attleboro	\$50,807	1.0%	7.5%	\$59,112	\$19,263
Easton	\$69,144	6.4%	25.5%	\$82,190	\$18,984
Foxborough	\$64,323	5.1%	21.0%	\$78,811	\$23,750
MANSFIELD	\$66,925	3.5%	13.9%	\$78,058	\$16,344
N. Attleborough	\$59,371	2.3%	9.7%	\$69,461	\$21,597
Norton	\$64,818	1.6%	9.2%	\$71,848	\$19,310
Plainville	\$57,155	1.7%	7.3%	\$68,640	\$20,880
Sharon	\$89,256	14.1%	40.1%	\$99,015	\$25,511
Boston PMSA	\$55,183	4.7%	22.5%	\$68,341	\$23,267

Census 2000, Summary File 3, Tables P52, P53, P54, P55, P77.

Mansfield matches the Commonwealth for percent of very affluent households, i.e., those earning more than \$200,000 per year: 3.5%. However, Mansfield's wealthiest households earn less overall than wealthy households statewide, for the sum of their incomes is only 13.9% of aggregate household income for the town as a whole,

compared to 18.2% statewide. Mansfield's young householders fare somewhat better than their counterparts elsewhere in Massachusetts, for under-45 householders in Mansfield generally have incomes that are 1.18-1.26 higher than the median for their age groups statewide. However, Mansfield's oldest residents have considerably lower incomes, for the median household income among over-75 householders is only .76 of the statewide median for their age group.

For the most part, Mansfield profiles as a middle-class town with households that are quite similar in terms of composition and wealth. The notable exceptions are over-75 and female-headed households, both having lower incomes in relation to all households in town than is the case for the same groups statewide. Women with children in Mansfield are conspicuously poor: for every dollar earned by a single father raising children on his own, single mothers earn only 42 cents.

Comparison Family Income by Type of Family Household

	<u>Median Income Families w/ Children <18</u>				
	Median Family Income	Married Couples	All Family Types	Single Parent-Male Head of Household	Single Parent- Female Head of Household
Massachusetts	\$61,664	74,589	\$61,530	\$34,532	\$22,138
Attleboro	\$59,112	65,841	\$57,787	\$32,177	\$30,993
Easton	\$82,190	90,372	\$86,118	\$39,125	\$27,500
MANSFIELD	\$78,058	84,024	\$81,008	\$61,250	\$25,568
N. Attleborough	\$69,461	79,827	\$69,473	\$32,344	\$37,007
Norton	\$71,848	78,889	\$71,411	\$30,875	\$28,060
Foxborough	\$78,811	92,238	\$81,933	\$48,462	\$34,063
Plainville	\$68,640	81,943	\$73,664	\$28,500	\$22,500
Sharon	\$99,015	112,908	\$105,650	\$36,964	\$41,350
Boston PMSA	\$68,341	82,066	\$69,179	\$36,914	\$25,159

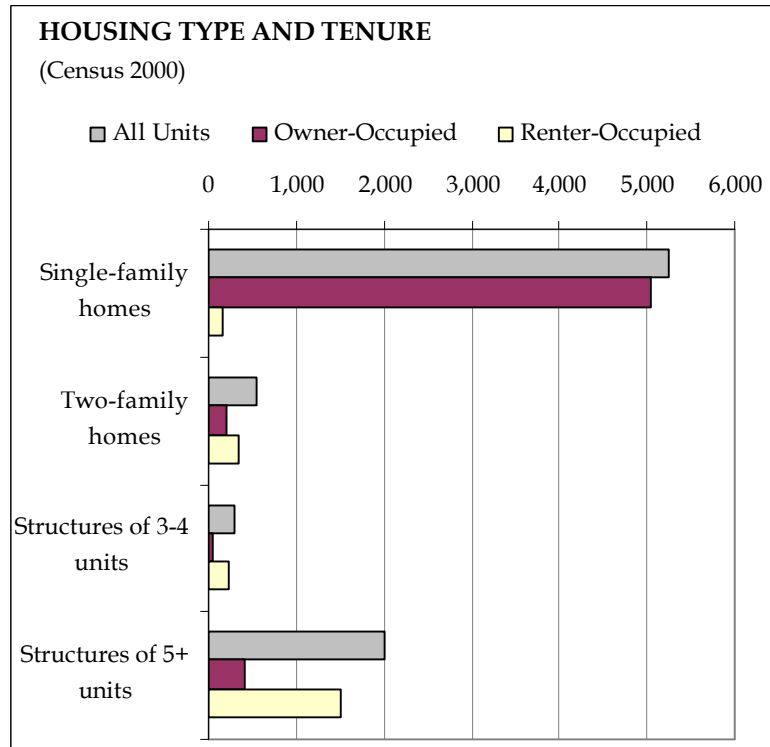
Census 2000, Summary File 3, Tables P77, PCT 40.

Since Mansfield has a large inventory of rental housing, it is not surprising to find that the difference between homeowner and renter household incomes is fairly small. Statewide, homeowners typically have incomes that are 1.28 times higher than the median household income overall while renter incomes are about .61 of the household median. In Mansfield, the median homeowner income is only 1.19 times higher than the median household income town-wide while the ratio for renter household income is .61, much like that for the state as a whole. Whether in Mansfield or throughout the Commonwealth, single women with children under 18 are far more prevalent in rental housing than in owner-occupied units. While the local ratio of single mothers who rent v. own is similar to that of the state (2.14 to 2.23), it is much higher than that of all other communities in the immediate region.

IV. Housing Characteristics

Compared to most of the Commonwealth's suburbs, Mansfield offers a wide range of housing choices. Detached single-family homes are the most common residential use, but Mansfield's 8,120 dwelling units include a sizeable inventory of condominiums, new and older two-family homes, and about 2,000 multi-family units.

In 2000, a majority of the vacant housing units for sale or rent in Mansfield were in condominium and multi-family buildings. More renters occupy multi-family units (78%) than in many suburbs around the state because Mansfield's zoning provides for multi-family housing. As a result, its renter-occupied housing inventory is not dominated by single-family



homes – units often made available for rent on a short-term or seasonal basis. Though subdivisions with single-family homes supply the pipeline for most new growth in Mansfield, the town has encouraged, and it continues to receive applications for, two-family and multi-unit developments. Of the 1,442 rental units in structures of five or more units, about 38% were permitted under Chapter 40B.

Housing Units by Tenure and Presence of Elderly Households

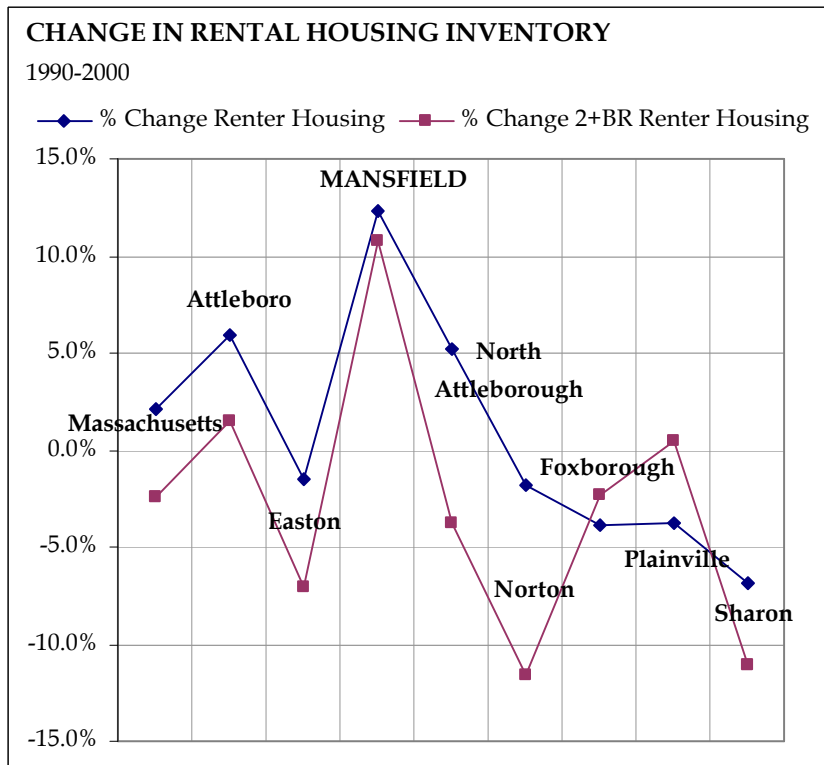
	Occupied Units	% Owner-Occupied	Owners >65		Renters >65	
			% All Owners	% Renters	% All Renters	
Massachusetts	2,443,580	61.7%	24.8%	38.3%	18.0%	
Attleboro	16,019	63.8%	20.9%	36.2%	17.4%	
Easton	7,489	81.6%	16.1%	18.4%	20.6%	
MANSFIELD	7,942	71.8%	11.3%	28.2%	12.8%	
North Attleborough	10,391	68.5%	17.5%	31.5%	12.1%	
Norton	5,872	82.2%	12.6%	17.8%	22.4%	
Foxborough	6,141	71.9%	18.8%	28.1%	23.7%	
Plainville	3,009	72.4%	22.8%	27.6%	12.2%	
Sharon	5,934	90.0%	17.7%	10.0%	37.4%	
Boston MSA	1,323,487	59.0%	24.2%	41.0%	17.1%	

Census 2000, Summary File 1, Tables H3, H16.

The year-round housing inventory in Mansfield consists of 8,083 dwelling units, 71.8% occupied by homeowners and 28.2% by renters. Mansfield modestly exceeds most towns in the region for number and percent of rental units, yet it has a strikingly low percentage of elderly renters.

Throughout Massachusetts, small rental units with one or two bedrooms are far more prevalent than larger rental units suitable for families, and Mansfield is no exception. Even though the town has several rental developments, they consist mainly of small apartments: four or fewer total rooms (68%), and studio or one-bedroom units (43%). Married couples or single parents with one child or two young children of the same sex have

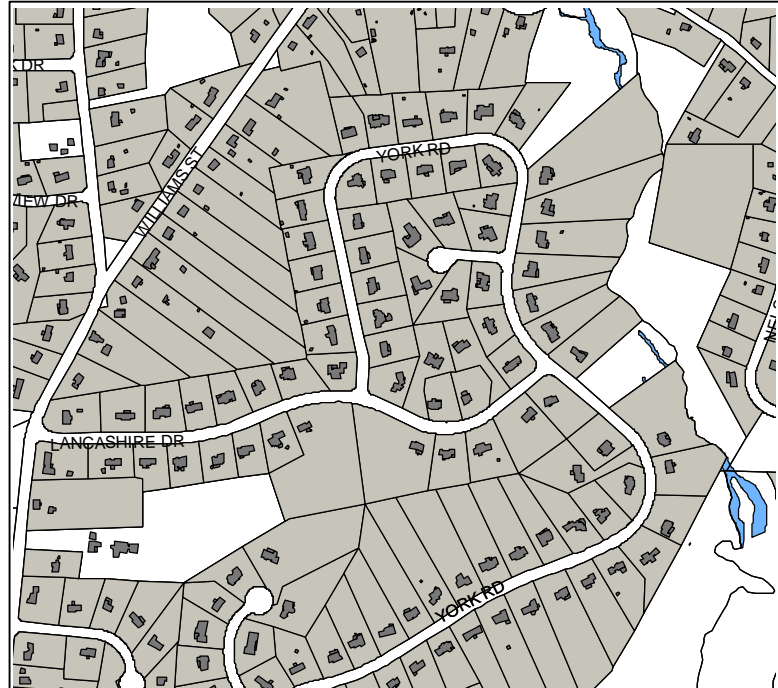
somewhat better access to suitable housing in Mansfield than in other towns nearby, for while its percentage of two-bedroom rental units is fairly low (39%), Mansfield exceeds most neighboring communities for the size of its two-bedroom rental inventory (877 units).



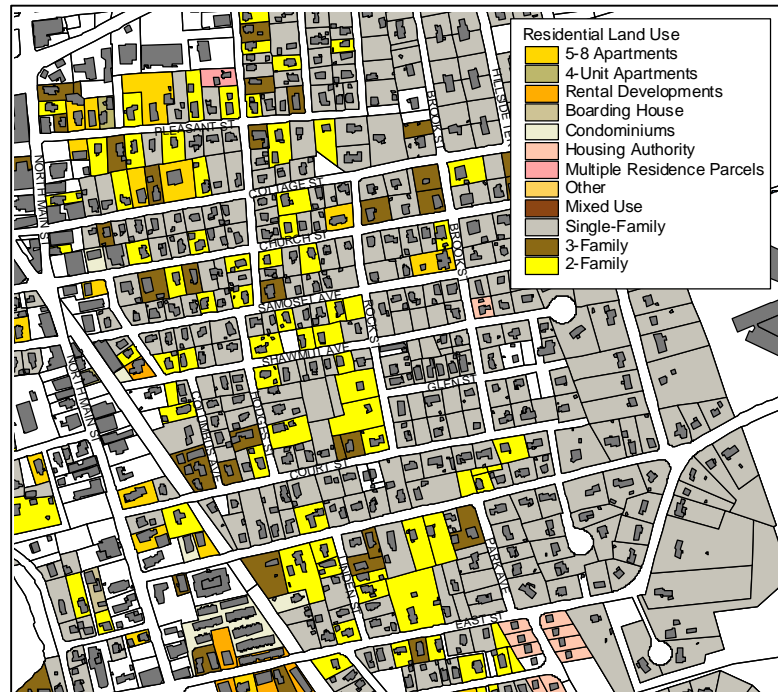
As for rental units with three or more bedrooms, however, the region falls short of the statewide average of 22.8%. In addition, a majority of rental units with three or more bedrooms, whether in Mansfield or other suburbs, are usually single-family homes occupied by renters instead of homeowners. In effect, the supply of rental housing suitable for families with children is the most vulnerable of all to homeownership conversion, which is what happened across the state when the economy improved after the early 1990s. Still, while Mansfield, Attleboro and North Attleborough all absorbed modest growth in renter-occupied housing units during the past decade, Mansfield absorbed a higher rate of growth in rental-occupied housing overall and rental housing with two or more bedrooms (see chart, previous page). The differences are not insignificant. The remainder of Mansfield's region lost 249 family-size rental units between 1990-2000, but Mansfield gained 125, including 26 three-bedroom units. Furthermore, larger families – households of three or more people – are more evenly distributed across different types of housing in Mansfield than in other towns nearby or

in the state as a whole, with somewhat less reliance on single-family homes to house renter families with children.

Despite the town's rental housing growth, the vast majority of new homes built in Mansfield between 1990-2002 are detached single-family dwellings (89%).⁶ Since the single-family home is Mansfield's primary housing type, the differences that exist within its single-family inventory are important to the character of the town, to the choices available to incoming homebuyers and existing residents seeking "move-up" opportunities, and to the role that regulations play in shaping the land market. On average, Mansfield's newest single-family residences are almost twice the size of single-family homes that were built between 1945-1960, the construction era that precedes the town's first significant population increase in modern times. They also use considerably more land, for the average lot size of homes built since 1995 is 2.58 times the size of house lots developed just prior to the 1960s. The trend toward larger homes



Predominantly new single-family home neighborhoods in Mansfield.



Established neighborhood near downtown Mansfield.

⁶ Town of Mansfield Building Department; Bureau of the Census, [online database] "Building Permits Data," [accessed 17 January 2004 via CenStats].

on increasingly large house lots is hardly unique to Mansfield. It is a unifying characteristic of modern suburbs – along with a departure from the traditional neighborhood with interconnected streets to the self-contained neighborhood organized around a cul-de-sac.

Mansfield's new and older single-family homes are also separated by context, i.e., surroundings. Largely because of zoning, Mansfield's new neighborhoods tend to be comprised exclusively of single-family homes. However, its long-established neighborhoods are not only dense by suburban standards but also mixed in terms of housing types. Nearly all of the town's small multi-family buildings – three-family and four- to eight-unit structures – are located within a half-mile radius of North Main and Park Streets, mixed seamlessly with single-family homes, two-family homes, and commercial and institutional uses. Many of these neighborhoods also house a disproportionate number of the town's lower-income families, for Mansfield's inventory of Chapter 40B units provides only one-fifth of the dwelling units actually occupied by low- or moderate-income households.⁷

V. Affordable Housing Needs

Like most communities, Mansfield has several kinds of "affordable" housing. Many people think that "affordable" means "public housing," and they imagine large, dense, multi-story apartment developments that are completely antithetical to the kind of homes they see around them. "Affordable" includes "public housing," but today's public housing is quite different from the earliest units built under the federal Housing Act of 1937. In fact, most of the state's recently built affordable homes are not public housing at all. Instead, they are privately developed dwelling units for low- or moderate-income households: the elderly, families, and persons with disabilities.

Mansfield has many low-cost homes and apartments, but few meet the definition of an affordable housing unit under state law. In Massachusetts and most states across the country, the term "affordable housing" means homes made affordable to lower-income households by a deed restriction or covenant that restricts sale prices and rents as the units are vacated, sold or leased to new tenants. Mansfield has 692 units of housing that qualify as "affordable" under Chapter 40B,⁸ a law that is highly controversial in most

⁷ U.S. Department of Housing and Urban Development [online database], "Non-Entitled Local Government Summaries for Low and Moderate Income Estimates," in EXCEL format, [accessed 2 March 2003].

⁸ Note: 692 units includes the 577 listed in DHCD's Subsidized Housing Inventory, April 2002, and units in three developments approved in 2003: 7 affordable units in a 24-unit homeownership development, 42 units in a rental development, and 66 units in a second rental development. By virtue of these recent approvals, Mansfield has increased its Chapter 40B inventory by 115 units, although an abutter recently appealed the 66-unit approval. The town's revised Chapter 40B inventory is equal to 8.56% of its Census 2000 year-round housing base. It appears that Mansfield may also have some special needs

communities because it overrides local zoning regulations that make low- and moderate-income housing economically infeasible to build. The device that overrides local zoning is known as a comprehensive permit.

Enacted in 1969, Chapter 40B establishes a legal presumption of unmet housing needs when less than 10% of a community's year-round housing stock is affordable to households at or below 80% of median family income. Generally, communities that do not meet the 10% threshold must issue a comprehensive permit unless there is an unusual or compelling basis to deny one. Developers, in turn, may ask the state's Housing Appeals Committee (HAC) to overturn a local Zoning Board of Appeals decision. HAC's overrides have left a lasting impression on communities and form the basis for most of the opposition from local governments today.

Statewide, 8.53% of all houses and apartments meet the statutory definition of "low- and moderate-income housing units," but the number of communities that have reached or surpassed 10% remains very low.⁹ While cities top the list for affordable housing production, a few towns also exceed 10%. However, the suburban average is only 2.78%. Subsidized housing as a percentage of all year-round homes in Mansfield and neighboring communities varies significantly. The region has a total of 3,164 Chapter 40B units, or 4.94% for the area as a whole. Attleboro tops the list for number of Chapter 40B units and Mansfield for percent.

Local and Regional Chapter 40B Inventory

	Year-Round Homes	Total Development Units 2001	Chapter 40B Units	% Subsidized 2000 Base	Gap (10% Year-Round Homes Less Chapter 40B Units)
Attleboro	16,519	1107	1107	6.70%	545
Easton	7,596	281	224	2.95%	536
MANSFIELD	8,083	709	692	8.56%	116
N. Attleborough	10,600	272	272	2.57%	788
Norton	5,942	322	322	5.42%	272
Foxborough	6,260	217	217	3.47%	409
Plainville	3,088	128	128	4.15%	181
Sharon	6,006	202	202	3.36%	399
Total	64,094	3,238	3,164	4.94%	3,245

Source: DHCD Subsidized Housing Inventory (April 2002); Town of Mansfield.

By enacting Chapter 40B, lawmakers hoped to provide a "fair-share" distribution of low-income housing across the state, but housing analysts do not define affordable housing need on the basis of a 10% standard. The national definition of housing affordability

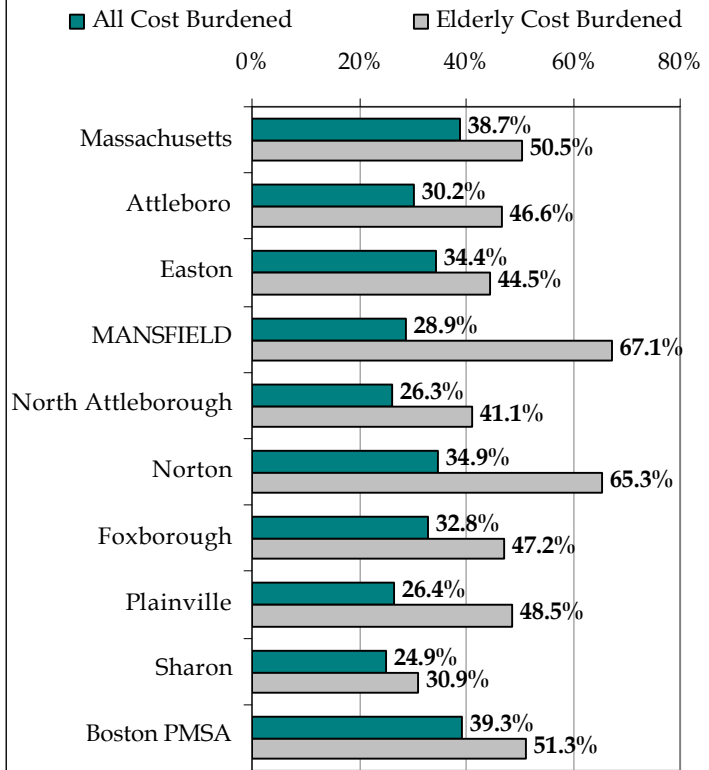
housing units that DHCD has not added to the Subsidized Housing Inventory. See also, Appendix A.

⁹ Department of Housing and Community Development, "Chapter 40B Subsidized Housing Inventory," April 2002.

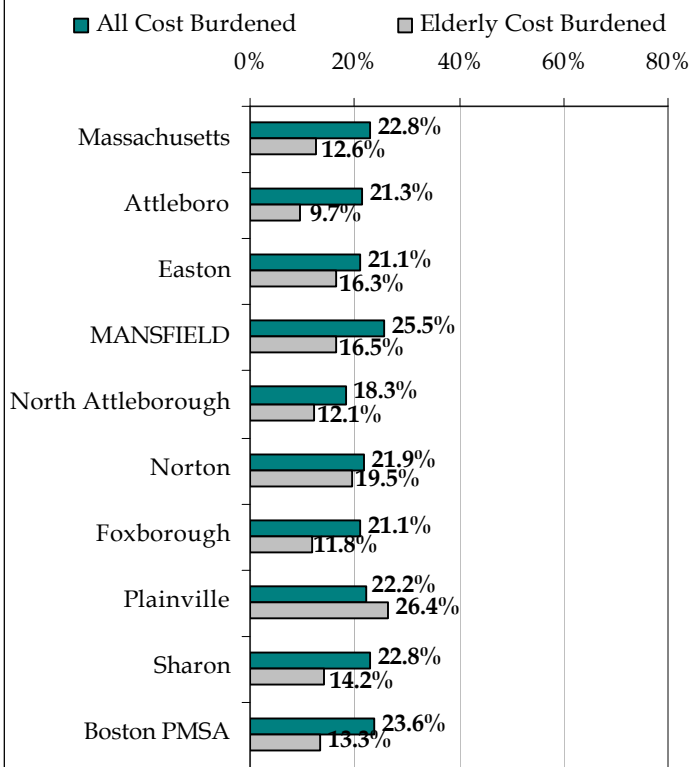
assumes that a home is affordable to its owners if they spend no more than 30% of their monthly income on housing costs: a mortgage payment, property taxes, and house insurance. Similarly, an apartment is affordable when tenants pay no more than 30% of their monthly income on rent and utilities. Households that pay more than 30% of their income on housing costs are classified as “housing cost burdened.” The incidence of housing cost burden is usually highest among elderly and lower-income households. “Low-income” refers to households with incomes at or below 80% of area median income.

According to federal census data, 36.9% of Boston-area tenants and 28.9% of Mansfield tenants are housing cost burdened. Two factors help to explain the town’s somewhat lower incidence of housing cost burden among renters. First, Chapter 40B units make up 22% of Mansfield’s renter-occupied housing stock and they are “affordable” by definition. Second, a majority of the unsubsidized rental units are located in older multi-family buildings with relatively low rents. However, a far more disturbing concern about rental housing cost burden in Mansfield involves elderly tenants. The town appears to have a severe shortage of affordable housing for low-income elders, for the

COST BURDENED RENTERS



COST BURDENED HOMEOWNERS



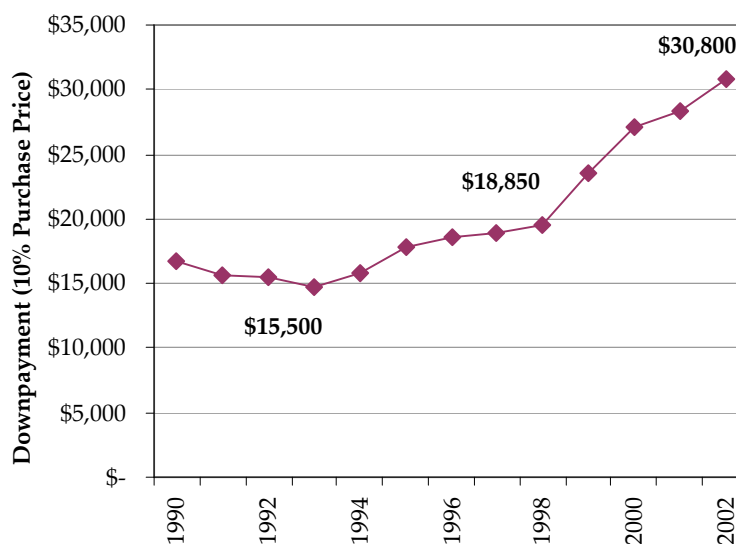
percentage of cost-burdened tenants over 65 years of age significantly exceeds that of the state and the Boston metropolitan area.

While less than one-third of Mansfield's *population* qualifies as low-income (26.9%) it has far more low-income *households* (32%) than affordable rental or homeownership housing units. For Mansfield, housing cost burden is acutely obvious among elderly renters and more common among homeowners of all ages (25.5%) than in all towns around Mansfield or elsewhere in the Boston metropolitan area. In addition, more homeowners 25-34 years of age are cost burdened than other age groups (30.6%).

Ever since the 1930s, federal housing policies have subsidized homeownership through income tax deductions for mortgage interest and property taxes, federal home mortgage insurance, and more recently, low-interest loans and grants that help moderate-income people transition from renter to homeowner.

Often, home-seekers have more resources than a mortgage lender requires, such as equity to invest from the sale of a previous home or a gift or loan from family members. However, households with only their savings to put toward a downpayment find homebuying more difficult. While saving to purchase a home they must also pay rent, and because apartments are so scarce, market rents have become very expensive in relation to renter household incomes.

**CHANGE IN SAVINGS REQUIRED FOR 10%
DOWNPAYMENT IN MANSFIELD**



Under conventional loan underwriting standards, homebuyers at Mansfield's median household income of \$64,323 can afford a maximum purchase price of about \$204,900. For them, the town's median single-family home sale price of \$350,000 (2003) translates into an "affordability gap" of \$145,085, or the difference between the prevailing sale price and the purchase price they can afford. However, Mansfield's median single-family sale price creates a more substantial barrier for homebuyers at the Boston-area median income (\$55,183): an affordability gap of nearly \$174,203. A sale price of \$350,000 is also high enough to preclude 59% of Mansfield's present households from purchasing a house in town if they were first-time homebuyers today. In Mansfield and most communities, condominiums are often more affordable than single-family homes. Mansfield's median condominium sale price of \$139,000 would be affordable to about

74% of its present households if they were buying their first home, but they would have very few choices: condominiums make up only 8.6% of Mansfield's entire housing inventory. Moreover, many of them are owned by investors as income property and occupied by tenants.

VI. Analysis of Barriers and Opportunities

Considering the incomes and composition of Mansfield households and the age makeup of its population, Mansfield clearly needs more housing for low-income elders and homeownership units that are affordable for moderate-income families, young citizens and elders. There are several potential barriers to meeting these needs, including:

Barrier	Issue
Chapter 40B	Type, scale and location of Chapter 40B developments are determined by developers and market conditions, not local housing needs.
Zoning	Existing regulatory incentives have not produced any low- or moderate-income housing units.
Land	Mansfield has very little vacant residential land available for new housing construction. According to Mansfield's Master Plan (1996), the town has enough usable land to support about 2,100 additional homes.
Financial resources	The town's most pressing need – affordable rental units for very-low-income elders – is extremely difficult to meet because (a) there are no funds available to the Mansfield Housing Authority to develop new elderly units, and (s) most state and federal funding sources give preference to family over elderly developments.
Local capacity	Mansfield does not have a local development corporation or a qualified private developer that can serve as a partner in developing new affordable housing.
Community facilities & infrastructure	K-12 enrollments in the Mansfield Public Schools have risen sharply due to the town's rapid rate of growth. The high school anticipates increasing class size by 125 per year for the next several years. Since the town's budget constraints preclude investing in new or expanded school buildings, the school department is increasing class sizes to levels that are not considered acceptable. According to local officials, substantial new housing growth over a short period would be devastating to school operations.

Discussion

When communities “take charge” of Chapter 40B, they are in a much better position to meet local housing needs. Although well intentioned, Chapter 40B has a number of deficiencies and it is very unlikely that the legislature or the executive branch of state government will address them. Contrary to what many towns believe, there is no state



Mansfield Depot, Chapter 40B rental development.

“mandate” that at least 10% of a community’s housing stock must be affordable to lower-income people. Instead, the law limits the ability of local officials to deny a comprehensive permit when less than 10% of their town’s homes meet the legal definition of a low- or moderate-income housing unit. Since Massachusetts does not have a statewide housing plan, the locations, types and number of affordable units built anywhere in the state depends almost entirely on choices made by private developers. In effect, Chapter 40B activity is driven by market conditions and it is no surprise that comprehensive permit applications have been especially prevalent in the state’s high-growth communities.

Mansfield encourages developers of market-rate housing to provide affordable units. For example, in the Residence-2 and Residence-3 Districts, the town provides a density bonus to developers of cluster housing in exchange for including moderate-income dwellings in their developments. Mansfield also allows multi-family units in most of its commercial and light industrial zones. While these tools have contributed positively to Mansfield’s mix of residential uses, they have not produced affordable housing units. It is not clear whether the incentives are too weak or affordable housing developers choose Chapter 40B because the comprehensive permit all but guarantees them the right to build.

About two-thirds of the Commonwealth’s communities have zoning bylaws with incentives to build affordable housing, but in most cases these bylaws have been very ineffective. Inclusionary zoning, or a requirement to provide affordable units, has become increasingly attractive in some suburbs. Its effectiveness as an affordable housing strategy remains unclear because inclusionary zoning is relatively new to Massachusetts. Cities generally allow more units per lot in developments that have to comply with inclusionary housing requirements, but most suburbs have opted for a zoning model that allows no increase in density. Often, suburban inclusionary zoning

works together with open space-cluster regulations, providing ways to save development costs by locating homes close together and building shorter roads.

Inclusionary bylaws usually offer developers multiple options to comply: they may include affordable homes in their developments, provide equivalent units in another location, donate usable land to the town, or pay a fee in lieu of providing affordable units. Since inclusionary zoning can be complicated to administer, it raises concerns about local implementation capacity. In states with more inclusionary zoning experience, developers almost always choose to pay a fee instead of including units in their projects or providing equivalent units on another parcel of land. In order to set aside and restrict the revenue generated by these fees, however, communities need a special revenue fund or trust fund and in Massachusetts, this requires a special act of the legislature. Also, communities should have a management plan for the fund: policies governing how the revenue will be used, the agencies or organizations that will have access to the revenue, who will decide how much of the fund can be spent in a given year, and so forth. Allocating inclusionary zoning fees requires a policy framework, clearly understood procedures, and basic agreement about how these decisions will be made in the future. Ideally, communities should have a development partner that can receive and expend inclusionary zoning revenue under a broad grant of authority from town meeting.

According to the buildout study prepared by Southeastern Regional Planning and Economic Development District (SRPEDD) for EOEA in 1999, Mansfield has enough developable land to accommodate another 2,078 dwelling units, 16% of which are multi-family. This estimate is fairly close to the Master Plan (1996) forecast of residential buildout capacity. Nearly all of Mansfield's remaining vacant land is zoned for single-family development with a minimum lot size of 60,000 ft². This policy preference will limit the number of dwelling units that can be built in town, but it also presents challenges to meeting Mansfield's other housing goals. Significantly, SRPEDD's buildout assumptions were based on the town's own zoning regulations, not on the use of comprehensive permits to approve multi-family developments. Mansfield needs effective ways to produce affordable homes at a pace and scale that the town can absorb. Large, unwanted comprehensive permit developments may move the town to or beyond the statutory 10% threshold, but they will not necessarily meet the most pressing needs that exist in Mansfield or the immediate region.

Finally, there are two obvious housing preservation concerns in Mansfield. First, the town has a supply of "informally" affordable homes – units not subject to any deed restrictions, yet because of their size, location or condition, they are relatively low-value and therefore at risk of redevelopment and conversion to expensive housing stock. The town has issued more than 3,600 permits since 1992 for additions and alterations to existing homes. While many of the permits involved minor or small-scale home improvement projects, additions of bedrooms and family rooms and modernized kitchens are well represented in the mix. The aggregate construction value of these projects is more than \$39 million. Second, as land becomes increasingly scarce, Mansfield will see more applications to demolish older homes and replace them with

new, larger, more expensive residences. In the past 10 years, Mansfield has issued nearly 100 demolition permits.¹⁰ Map 2 illustrates some of these issues and trends.

Opportunities

Mansfield has several opportunities to increase its supply of affordable housing. The town is already planning to develop a small assisted living facility on publicly owned land. Although the proposal is in the earliest stages of predevelopment planning, local officials estimate that the site can support 20-30 elderly units. Furthermore, Mansfield encourages reinvestment and preservation of older affordable housing stock by making CDBG funds available to lower-income homeowners and investors with lower-income tenants. The town's Community Development Office has managed rehabilitation projects for about 15 property owners, mainly owners of older single-family homes in or near Mansfield Center. A continuation of this program, coupled with CDBG and other funds to (1) create or improve upper-story and ground-floor accessible units in commercial buildings throughout the downtown area, (2) create new affordable units through conversion of older residential and nonresidential buildings, and (3) to encourage affordable accessory apartments, would enable the town to expand its inventory of Chapter 40B-eligible housing without the impacts caused by new, large housing developments.

Compared to other suburbs, Mansfield does not own very much protected open space. However, the town owns a number of small parcels – defined here as four or fewer acres – and they should be reviewed for suitability to support scattered-site, single-family or two-family homes. The town also owns other unrestricted land, and if the town acquired it for no specific purpose then it should be reviewed for development suitability. A standard policy on the disposition of tax title parcels would also benefit Mansfield. Generally, town-owned parcels that link open space or serve as small neighborhood parks should not be converted to housing (or any other use). However, parcels that are not essential to the town's open space or recreation plan, and particularly parcels in and adjacent to Mansfield Center, could be important to the success of a housing plan.¹¹

The legislature's Joint Committee on Housing and Urban Development is reviewing a bill with "rewards" for communities that produce new housing units affordable to low- or moderate-income families. Partially echoing recommendations in the Commonwealth Housing Task Force report, Building on Our Heritage: A Housing Strategy for Smart Growth and Economic Development (2003), the legislation calls for additional Chapter 70 aid (state aid for public schools) to communities that approve new moderate-income housing units, and bonus aid for communities that produce new moderate-income housing units pursuant to a "smart growth" zoning bylaw. Some examples of smart-growth zoning techniques include transfer of development rights or

¹⁰ Town of Mansfield Building Department, January 2004.

¹¹ According to a property record card database from the assessor's office, the Town owns 165 vacant parcels of <4 acres with a combined total of 135 acres.

TDR to direct higher-density development toward areas that can support it, or zoning regulations that create new development or reinvestment opportunities in established areas, e.g., as a downtown or older village neighborhoods. In Mansfield, smart-growth development regulations could include strategies such as infill development in and around older neighborhoods with access to public water and sewer service, or mixed-use redevelopment in the downtown area.

Similar principles have already been embraced by Governor Romney, whose Office of Sustainable Development recently issued guidelines that direct state agencies to give preference in the award of housing, open space, transportation and economic development grants to communities with “smart growth” policies. In FY 2005, the administration is expected to consolidate virtually all state grant programs under the umbrella of “Commonwealth Capital,” a unified grant award system that would include not only the “smart growth” criteria that are in effect today, but also bonus points to communities that have reached the 10% goal of Chapter 40B, adopted the Community Preservation Act, and reduced the development capacity of their remaining farmland.

While problems inherent in Chapter 40B make the law a barrier to meeting local housing needs, DHCD regulations include some tools that communities can use to make Chapter 40B an affordable housing asset. These tools include the Local Initiative Program (LIP) and the affordable housing production plan. LIP is critical to placing affordable units created outside the comprehensive permit process on the Subsidized Housing Inventory, and it has been used this way for many years. However, LIP also offers an alternative pathway to comprehensive permits – a pathway that grants communities more control than they have over a conventional Chapter 40B development.

As a matter of policy, Mansfield should insist that prospective affordable housing developers approach the town about sponsoring an application for LIP project eligibility before they apply to MassHousing for site approval. Mansfield is in the unusual position of having met the 10% goal until rapid residential growth reduced the town’s percentage of Chapter 40B units. In an effort to recover its position under the law, Mansfield has approved three comprehensive permit developments in the last year. Measured against its Census 2000 year-round housing base, the town’s official Chapter 40B “gap” is only 112 units. However, Mansfield has continued to absorb housing growth since 2000, so when homes built after April 2000 are added to the base, the town’s estimated Chapter 40B shortfall is approximately 168 units today. The gap is remarkably small regardless of how it is calculated. Very few suburbs of comparable size can make the same claim. State government should respect a reasonable local policy that gives preference to LIP over conventional comprehensive permits.

VII. Recommendations

Mansfield needs to take six key steps to reduce housing barriers and implement a successful housing plan:

7. **Build local development capacity.** Increase capacity by forming a local non-profit development corporation.
8. **Make effective use of zoning.** Amend the zoning bylaw to require new developments over a certain size to provide affordable units or funds that the town can use to develop new affordable units, and offer a modest density increase to projects that trigger the inclusionary regulations. As part of Mansfield's downtown planning study, the town should also evaluate the merits of adopting a higher-density, mixed-use zoning district for downtown and adjacent residential neighborhoods. Finally, the town should consider an overlay district for underutilized commercial or industrial land, offering density and mixed-use incentives to stimulate new investment and affordable housing production.
9. **Use Chapter 40B strategically.** In areas appropriate for higher-density housing, identify town-owned land and privately owned vacant land that could support small-scale housing development, and substandard properties that could be renovated to include affordable units. Enlist participation from the town's non-profit housing development corporation and qualified, trustworthy private developers to build or redevelop units in these locations.
10. **Provide town land.** Identify and prioritize small town-owned parcels that can be sold to the local development corporation or other non-profit groups such as Habitat for Humanity, and used for scattered-site single-family or two-family dwellings. Vacant land owned by the Mansfield Housing Authority should be included in this review. Proceeds from the sale of town-owned land should be retained in an Affordable Housing Trust Fund for reinvestment in other affordable housing initiatives. The trust fund should be created by a special act of the legislature.
11. **Evaluate tax title parcels.** Establish criteria to evaluate tax title parcels for their suitability as affordable housing sites, and develop standard disposition documents to procure for qualified affordable housing developers.
12. **Capitalize on market opportunities.** Identify and prioritize older and/or obsolete residential and non-residential buildings with redevelopment potential, and develop a shortlist of properties to acquire, reposition and sell or rent. These types of projects could be carried out by the local non-profit development corporation on its own, by the town in partnership with the non-profit, or by the town in conjunction with a selected private developer. Creative use of tax policies, such as obtaining home-rule authority to lower or waive property taxes for elderly homeowners who grant the town a right of first refusal to purchase their home at a reduced price, could help to establish a small pipeline of properties that Mansfield could convert to affordable dwellings in the future.

Local Development Capacity

Mansfield has a successful Housing Authority, but today, it is very difficult for any housing authority to expand its public housing portfolio. The state has not made public

housing construction funds available for a long time, and housing authorities cannot develop property without prior approval from DHCD. Since the late 1980s, state and federal housing programs have been targeted to non-profit housing corporations and for-profit developers. As a result, communities that want to produce affordable housing need to form creative partnerships with or between their local housing authority, non-profit organizations and private developers.

Mansfield would benefit from establishing its own non-profit development corporation or encouraging private citizens to create one on the town's behalf. Whether limited to projects authorized by the town or free to pursue development opportunities on its own, a local non-profit corporation could become Mansfield's designee for both land and cash to facilitate the development of affordable housing. There are several non-profit organizational models in Massachusetts: community development corporations that operate at neighborhood, citywide or town-wide levels, regional housing development corporations, and local non-profit housing development corporations. Although all of these models share at least two features – a mission to develop low-income housing and a corporate operation governed by G.L. c.180 – local non-profit housing corporations differ because usually, their existence stems from actions taken by a unit of local government. Since communities have different needs, operating styles and governance traditions, they have used a variety of creative ways to establish development capacity. For example:

- Belmont and Wellesley obtained special legislation to create a non-profit housing corporation that focuses solely on housing development.
- Shrewsbury obtained special legislation to form an economic development and industrial corporation (EDIC) that can develop not only commercial and industrial property, but also mixed-income and affordable housing.

In these three communities, the non-profit's ability to pursue a development project hinges on approval by town meeting or the board of selectmen.

- Stow worked informally with The Community Builders (TCB), a large national non-profit, to create a local subsidiary called Stow Community Housing Corporation (SCHC). This non-profit does not require approval from the town to pursue a development project, but by custom, SCHC has taken much of its direction from local government.
- Acton has an unusual arrangement in which a non-profit originally formed by private citizens, the Acton Community Housing Corporation (ACHC), eventually received status as an official body of the town under special legislation sought by the town.

Regardless of the approach a community uses to create a local non-profit, having a non-profit development corporation brings many advantages. The non-profit can partner with a seasoned non-profit or a for-profit developer in order to access additional loans and other funds to build new housing units. As a companion measure, the town should

establish an Affordable Housing Trust Fund (AHTF) as a basic building block for future affordable housing initiatives. Market developments that provide cash in lieu of affordable housing would make payments to the AHTF, and proceeds from other transactions, such as the sale of town-owned land to private developers, could also be directed to an AHTF. An affordable housing fund can be created by a special act of the legislature following a petition approved by town meeting.

There are several advantages to forming a local non-profit development corporation. First, it can access low-income housing tax credits, deferred-payment or low-interest pre-development funds (such as MHP Fund), and resources from quasi-public lenders such as Massachusetts Housing Investment Corporation, MHP Fund, and Mass Housing. Federal housing programs such as HUD "202" funds may also be leveraged by non-profits. In addition, having a local non-profit as the ownership partner in an affordable housing development will provide Mansfield with more control over the kind of housing that is built, when, and where. Partnering with regional nonprofit also helps to build local capacity and reduces (but does not eliminate) the need for local staff. A regional nonprofit can provide technical assistance and lend its knowledge of funding resources for project development. Depending upon the type of partnership, a regional non-profit may ask for a separate fee and or a portion of the development fees.

The town's non-profit corporation could also partner with a larger, experienced for-profit developer. In the Boston area, several for-profit developers have carried out affordable housing developments in partnership with non-profit corporations large and small. The advantage of working with for-profit companies is that they have internal financial resources. The disadvantage is they have less incentive to partner (although land is a major incentive), and they are interested in a return on investment in addition to fees. For-profit developers will most likely have less interest than regional or national non-profits in providing technical assistance and other resources to build local capacity.

In addition to partnerships with other non-profits or for-profit developers, the town's non-profit corporation could retain an independent development consultant. Established non-profits and community development corporations (CDC) frequently hire development consultants for extra capacity, specialized knowledge, and project team credibility. Most development consultants working with non-profits are paid with consulting fees, not as equity partners. Many are in the business of providing technical assistance and they could be key players in helping Mansfield build local development capacity.

The Local Initiative Support Corporation (LISC), which provides operating support and capacity-building resources to urban housing development non-profits, has launched a new program called the Suburban Housing Initiative. Although Mansfield is not in a position to apply for these funds today, LISC hopes to maintain and expand the program over time. The program's purposes are two-fold: to provide operating grants of \$30,000-70,000 to community-based non-profits, and predevelopment loans for projects undertaken by these non-profit grantees.

Finally, the Massachusetts Housing Partnership Fund (MHP Fund) offers technical assistance to towns, local housing authorities (LHA's) and non-profits through the Community Housing Initiatives program. The MHP Fund can provide assistance to groups at the early stages of forming a non-profit entity, as well as pre-development assistance to established non-profits and LHA's that are pursuing affordable housing development. The Fund also provides assistance to towns reviewing Chapter 40B developments.

Potential Non-Profit Partners

The Community Builders, Inc. (TCB). Formerly known as Greater Boston Community Development, Inc., TCB has been in existence for 25-30 years. Although based in Boston, it has been active throughout the Northeast and Mid-Atlantic United States. Housing development corporations frequently will use TCB as a development consultant or a development (equity) partner. TCB's years of experience provide other non-profits with tools to grow as they move toward building and managing developments.

South Shore Housing Development Corporation, Inc. (SSHDC) is a regional non-profit working in the South Shore and on Cape Cod. It has active projects in the towns of Kingston and Plympton, and the cities of Brockton and Taunton. SSHDC can provide technical assistance and development consultant services, or it can act as development partner. The corporation has experience working with local housing authorities to develop LHA-owned land (land lease). SSHDC's primary interest is affordable family rental housing. However, it is currently involved in a homeownership development in Taunton and it has also developed elderly housing. SSHDC will provide management services as well as development expertise.

B'Nai B'rith Housing Initiative (BBHI) has focused its development activities in Boston, but is interested in expanding its focus to suburban communities. The organization's board is comprised of representatives from banks, quasi-public lenders, real estate attorneys, and non-profit and for-profit housing-related corporations. BBHA has recently hired its first full-time executive director. It is interested primarily in taking a lead role in partnerships with a local non-profit or housing authority, and it has experience in developing affordable rental housing.

The Committee for Eliminating Elderly Homelessness (CEEH) serves very low-income elders who have become homeless or are at risk of becoming homeless. It specializes in "services-enriched" housing for elders who, for reasons of frailty or special needs, require significant services. As a result, CEEH is very interested in developing assisted living facilities. Though based in Boston, CEEH is interested in working with LHA's in the suburbs, particularly the South Shore/Southeastern Massachusetts, to develop and provide supportive services. For example, CEEH collaborated with the Elizabeth Fuller Trust, which owned the Elizabeth Fuller House in Milton. The Trust had sold the building to a private developer to be redeveloped as over-55 condominiums. However, the Trust bought back 18 of the finished units (20% of the development), and in partnership with CEEH, it has maintained them as affordable elderly housing coupled with support services. CEEH provides the support services and on-going tenant

selection services for the Trust. CEEH would best be used as a service-provider partner and facilities development consultant.

Zoning

Mansfield should consider a number of zoning changes that may help the town produce affordable units at a density and scale appropriate for a suburban community:

- Moving to an inclusionary framework seems consistent with what the town hoped to accomplish by allowing a modest affordable housing density bonus in cluster developments. The town should consider requiring developers to provide affordable units even though in most cases, they will probably pay a fee instead of including affordable units in their projects.¹² The town could also retain the existing density bonus as an incentive to meet other housing needs: elderly units and “below-market” homes, in addition to the mandatory low- or moderate-income units. “Below-market” homes might be priced for purchase or rent by households with incomes between 81-110% of area median income.
- Mansfield could modify its existing accessory apartment bylaw to allow affordable accessory units – that is, Chapter 40B-eligible units – as of right while non-restricted accessory apartments would continue to be allowed by special permit.
- Permitting affordable housing units above the ground floor of downtown commercial buildings, and barrier-free housing at grade with entrances on the side or rear elevations, could induce new unit creation and may enhance the taxable value of commercial properties that are not fully occupied today.
- By creating a zoning overlay district in areas with sewer service, the town could allow a limited amount of infill and greater use intensity of existing development in the Higher-Density Residential, Downtown Mixed Use, Central Business District and Medium Density Residential Districts (Map 3). Within the overlay district, permission to increase density or use intensity for residential uses could be tied to an affordability requirement. For example, two techniques – frontage waivers and special regulations for substandard lots – could be used to make otherwise unbuildable land marketable for affordable housing development, while exchanging a modest increase in building coverage or height for an affordable condominium or apartment could be used to attract new investment in older buildings around Mansfield Center.
- The “Scheduled Rate of Development” bylaw should be modified to exempt all affordable housing units that are eligible for listing on the Subsidized Housing Inventory, not only those created with comprehensive permits.

¹² Mansfield Town Meeting unanimously approved an inclusionary zoning bylaw in May 2004.

Smart Use of Chapter 40B

Amending a zoning bylaw is difficult under the best of circumstances; amending a zoning bylaw to create affordable housing options can be very difficult. As a result, communities need ways to use Chapter 40B to their advantage. In addition to traditional comprehensive permits, Mansfield could create Chapter 40B-eligible housing units through zoning techniques such as those outlined above, by “creating” affordable units from existing homes, e.g., with inclusionary zoning revenue to buy down and deed-restrict lower-cost homes, or by developing units through a Local Initiative Program (LIP) comprehensive permit that has no cash subsidy from a state or federal housing program.

Mansfield’s ability to manage Chapter 40B will be strengthened if the town implements a DHCD-approved housing production plan under 760 CMR 31.07 (1)(i). The plan should be comprised of several strategies: zoning, financing, taxation policy, and comprehensive permits. It is important to point out that Mansfield could never meet the state’s annual planned production goal without issuing comprehensive permits because the goal is so large. A second way to help manage Chapter 40B is to provide developers with an affordable housing policy approved not only by the Housing Partnership, but also the Board of Selectmen and Planning Board.

Affordable Housing Production Plan

Chapter 40B regulations encourage communities to adopt and implement a housing production plan. The plan must strive for an annual affordable housing increase equal to .75 of 1% of a community’s total year-round housing inventory. DHCD has issued general guidelines for the content of a housing plan, but the regulations are more useful for understanding what communities must do to protect themselves from a large, unwanted comprehensive permit:

- A community that produces new Chapter 40B units equal to .75 of 1% of its year-round housing stock may deny a comprehensive permit for up to 12 months.
- A community that produces new Chapter 40B units equal to 1.5% of its year-round housing stock in a one-year period may deny a comprehensive permit for up to 24 months.

The housing plan may not be used as a basis to deny a comprehensive permit unless a community has already met the .75% threshold. In Mansfield, the housing production plan requirement is a minimum of 61 Chapter 40B units per year, but permitting 122 units or more would be the equivalent of a two-year window to plan for future affordable housing developments.¹³

¹³ The production target of 61 units/year assumes a Census 2000 “base” of 8,038 year-round housing units. Pending amendments to Chapter 40B may change the planned production threshold from .75% to .5%; in Mansfield, the difference would be 41 instead of 61 units per year. The amendments also allow a three-year relief period (instead of

Housing Policy

Since Chapter 40B creates possibilities for negotiated development, it differs significantly from conventional permitting. A comprehensive permit policy could help Mansfield establish a consistent framework for community-developer negotiations. While Chapter 40B places constraints on town officials, it does not prevent them from exploring trade-offs, issuing conditional permits that preserve a project's feasibility, or working with applicants to reduce the scale of a proposed development without making it uneconomic to build.

To negotiate effectively, however, communities have to be realistic, reasonable and clear about what they want from a Chapter 40B development. When they adopt a comprehensive permit policy, they should anticipate the ways that it may be used, and by whom. From a municipality's point of view, the policy should establish for everyone - town boards, developers, funding agencies and appellate jurisdictions - the boundaries of negotiation. This means that local officials must be equally clear about negotiable and non-negotiable considerations, and that town boards should not work at cross-purposes. A comprehensive permit policy should include, at minimum:

- A summary description of local housing needs and priorities.
- A statement of the comprehensive permit policy's relationship to community planning goals and other community needs.
- Clear description of local development preferences: housing types, scale, architectural design and site plan standards, and public benefits in addition to affordable dwellings.
- A map that identifies preferred areas for higher-density housing development, whether through new construction or reuse and expansion of existing buildings.
- Desired income targets, percentage(s) of affordability and accessible dwelling units.
- A definition of "local preference" so that developers can tailor their marketing plans to meet local needs.

Town-Owned Land & Tax Title Parcels

Although Mansfield does not own a great deal of open space, property records from the assessor's office indicate that the town controls several parcels that appear to have no legal restrictions against development. Some of them may have been obtained through tax title foreclosure. Disposing of land purchased in fee by town meeting involves somewhat different procedures from disposing of land taken for back taxes, so if any of the unrestricted parcels are suitable for affordable housing, the town will need to verify

two) for towns that produce Chapter 40B equal to 1.5% of their year-round housing base.

how the land was originally acquired. Map 4 identifies town-owned land with no obvious legal or use restrictions against future development or conversion.

Town-owned land may be sold by following the property disposition procedures of G.L. c.30B, the Uniform Procurement Act or simply, Chapter 30B. After designating a parcel as “surplus property,” a community may dispose of it by seeking bids or proposals, and the choice of procurement method depends on what local officials want to accomplish by selling the land. Most communities that have sold land for affordable housing have sought competitive acquisition and development proposals because their objective was not to receive the highest purchase price but rather, the best affordable housing use. Land acquired by tax taking may be sold through an auction process under G.L. c.60, or conveyed through a competitive RFP similar to that used for Chapter 30B dispositions.

Market Opportunities

Mansfield’s housing stock includes small, older homes that have traditionally offered young homebuyers an affordable pathway into the community. However, major alterations, expansions and demolition/rebuild projects put Mansfield’s “market affordability” at risk. A visual inspection of local neighborhoods and an analysis of assessment data suggest that the likelihood of demolition or substantial reconstruction is greatest among houses built between 1920-1945, for in many cases the value of the buildings is much lower than the value of the lots they occupy. To preserve a mix of both prices and residential uses, Mansfield should consider taking several actions because one approach alone is generally ineffective:

- Adopt a demolition delay bylaw that applies to whole or partial demolition of any building over a certain age, except structures that present a public health or safety hazard as determined by the building inspector.
- Focus local resources (such as revenue from inclusionary zoning) and state or federal grants on a program of acquiring small homes and substandard or obsolete residential and non-residential buildings, renovating them, and restricting them for low- and moderate-income occupancy. Each assisted unit, whether sold or rented, could easily be made eligible for the Subsidized Housing Inventory through an appropriate use restriction and an application to DHCD through the Local Initiative Program (LIP). A limited program such as this is ideal for a small or emerging non-profit corporation.
- Institute property tax incentives that encourage elderly or very low-income homeowners to grant the town a right of first refusal to purchase their house at below-market value. A few Cape Cod communities have successfully used the home rule petition process to establish a tax exemption program for landlords who rent to low-income tenants. A similar model could be developed that benefits not only present homeowners, but also the town: in exchange for reducing or waiving property taxes for housing cost burdened residents, Mansfield would gradually create a pool of homes that the town can purchase inexpensively and sell for affordable housing.

VIII. Production Goals

Using almost any combination of the strategies outlined in Section VII, Mansfield can increase its inventory of Chapter 40B units at a pace generally consistent with the following production schedule. Since the town has a comparatively small gap to fill, it should be possible for Mansfield to achieve 10% in three to four years.

MANSFIELD AFFORDABLE HOUSING GOALS (APPROXIMATE)¹⁴

New Market Units (Building Permits)	83	47	79	140
New Chapter 40B Units	0	0	0	49
CALENDAR YEAR	2000	2001	2002	2003
Total Year-Round Homes ¹⁵	8,083	8,213	8,292	8,481
Chapter 40B Units	577	577	577	626
10% Requirement	808	821	829	848
Gap ¹⁶	231	244	252	222
Required # for .75 of 1%	61	62	62	64
New Market Units (Building Permits)	50	50	50	50
New Chapter 40B Units	66	65	66	67
CALENDAR YEAR	2004	2005	2006	2007
Total Year-Round Homes	8,597	8,712	8,828	8,945
Chapter 40B Units	692	757	823	890
10% Requirement	860	871	883	895
Gap ¹⁴	168	114	60	5
Required # for .75 of 1%	64	65	66	67
New Market Units (Building Permits)	50	50	50	
New Chapter 40B Units	15	15	15	
CALENDAR YEAR	2008	2009	2010	
Total Year-Round Homes	9,010	9,075	9,140	
Chapter 40B Units	905	920	935	
10% Requirement	901	908	914	
Gap	-4	-13	-21	
Required # for .75 of 1%	N/A	N/A	N/A	

¹⁴ The affordability of all units will be secured by a deed rider or regulatory agreement issued by the applicable subsidy program or, in the case of LIP units, the town will use LIP model documents.

¹⁵ "Total Year-Round Homes" is an actual count for 2000 only, based on Census 2000. For 2001-2003, it represents the Census 2000 housing base plus new residential building permits and new Chapter 40B units approved by the town. For 2004-2010, it includes an estimated number of new residential building permits and new Chapter 40B units added to each prior year's adjusted housing base.

¹⁶ If measured against the Census 2000 year-round housing base only, i.e., excluding new units built since April 2000, the Chapter 40B gap is 112 units.

APPENDIX A

Mansfield Subsidized Housing Inventory¹⁷

CHAPTER 40B SUBSIDIZED HOUSING INVENTORY: MANSFIELD

Development/ Address	Funding Agency	Chapter 40B Units	2000 Census Year Round Units	% 40B units
MANSFIELD HOUSING AUTHORITY Eddy St.	DHCD	10		
MANSFIELD HOUSING AUTHORITY Cedar Court/ Wilson Place	DHCD	29		
MANSFIELD HOUSING AUTHORITY Bicentennial Ct.	DHCD	60		
MANSFIELD HOUSING AUTHORITY 15 Park St.	DHCD	42		
KENNEDY DONOVAN CENTER 651 South Main St.	DHCD	8		
MANSFIELD HOUSING AUTHORITY 22 Bicentennial/Park/Cedar	DHCD	5		
MANSFIELD HOUSING AUTHORITY Hawthorne Ct.	DHCD	8		
MANSFIELD MEADOWS ¹⁸ 12 Bonney Lane	MHFA, DHCD	170		
VILLAGE AT MANSFIELD DEPOT I-II 53-54 Francis Ave 22,25,27,29,31 Francis Ave	DHCD	245		
TOTAL		577	8,083	7.14%

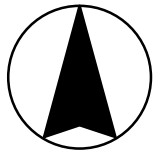
¹⁷ Mansfield's recently approved comprehensive permits have not been recorded on the Subsidized Housing Inventory at this time. There may also be group home units that are not reflected in DHCD's inventory.

¹⁸ MHFA expiration 2020-2025.

TOWN OF MANSFIELD

Affordable Housing Plan

Map 1: Eras of Residential Growth











Community
Opportunities
Group, Inc.
February 2004

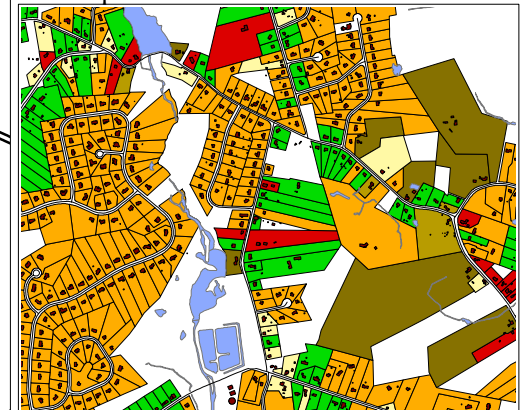
Data Sources:
Town of Mansfield GIS Department
MassGIS
MassHighway

The information represented in this map is to be used for planning purposes only. This information is not adequate for legal boundary interpretation. Use caution interpreting positional accuracy.

LEGEND

-  Roads
-  Rivers and Ponds
- Construction Year
 -  1700 - 1820
 -  1821 - 1865
 -  1866 - 1919
 -  1920 - 1950
 -  1951 - 1979
 -  1980 - 2003

A Closer Look: Mansfield's New and Old Development Traditions

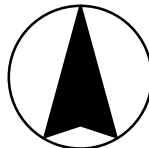


0.5 0 0.5 1 Miles

TOWN OF MANSFIELD

Affordable Housing Plan

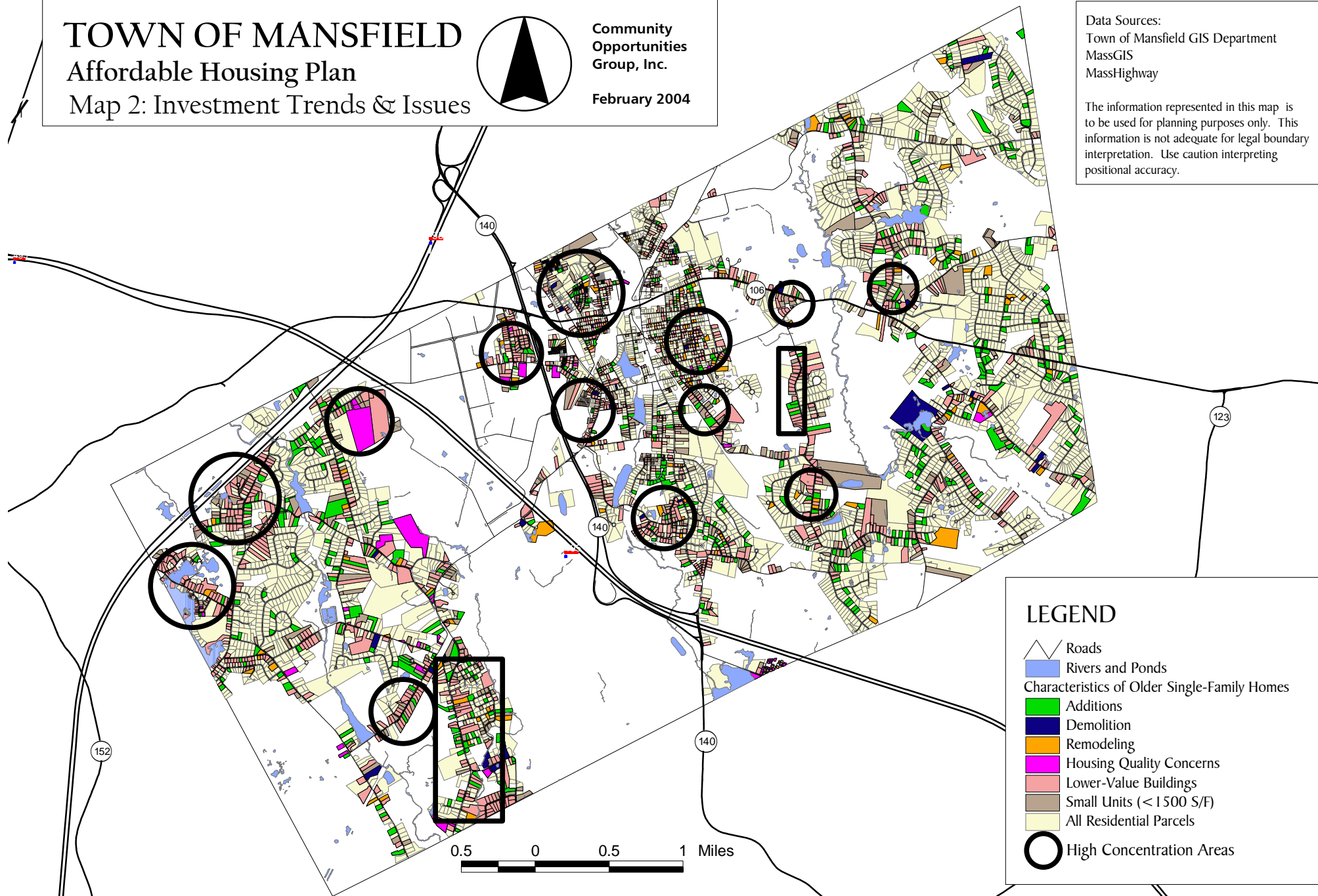
Map 2: Investment Trends & Issues



Community
Opportunities
Group, Inc.
February 2004

Data Sources:
Town of Mansfield GIS Department
MassGIS
MassHighway

The information represented in this map is to be used for planning purposes only. This information is not adequate for legal boundary interpretation. Use caution interpreting positional accuracy.



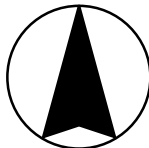
LEGEND

- Roads
- Rivers and Ponds
- Characteristics of Older Single-Family Homes
 - Additions
 - Demolition
 - Remodeling
 - Housing Quality Concerns
 - Lower-Value Buildings
 - Small Units (< 1500 S/F)
 - All Residential Parcels
- High Concentration Areas

TOWN OF MANSFIELD

Affordable Housing Plan

Map 3: Development Incentive Area



Community
Opportunities
Group, Inc.

February 2004

Data Sources:

Town of Mansfield GIS Department
MassGIS
MassHighway

The information represented in this map is to be used for planning purposes only. This information is not adequate for legal boundary interpretation. Use caution interpreting positional accuracy.

Area for
"Smart Growth"
Housing
Policies

LEGEND

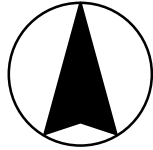
- Sewer Service Area
- Highways
- Roads
- Rivers and Ponds
- Existing Zoning
 - Airport
 - Central Business
 - Downtown Mixed Use
 - Higher Density Residential
 - Highway Business
 - Industrial Park
 - Limited Industrial
 - Medium Density Residential
 - Mixed Use Industrial
 - Natural Resources & Scenic Residential
 - Planned Business District
 - Reservoir District

0.5 0 0.5 1 Miles

TOWN OF MANSFIELD

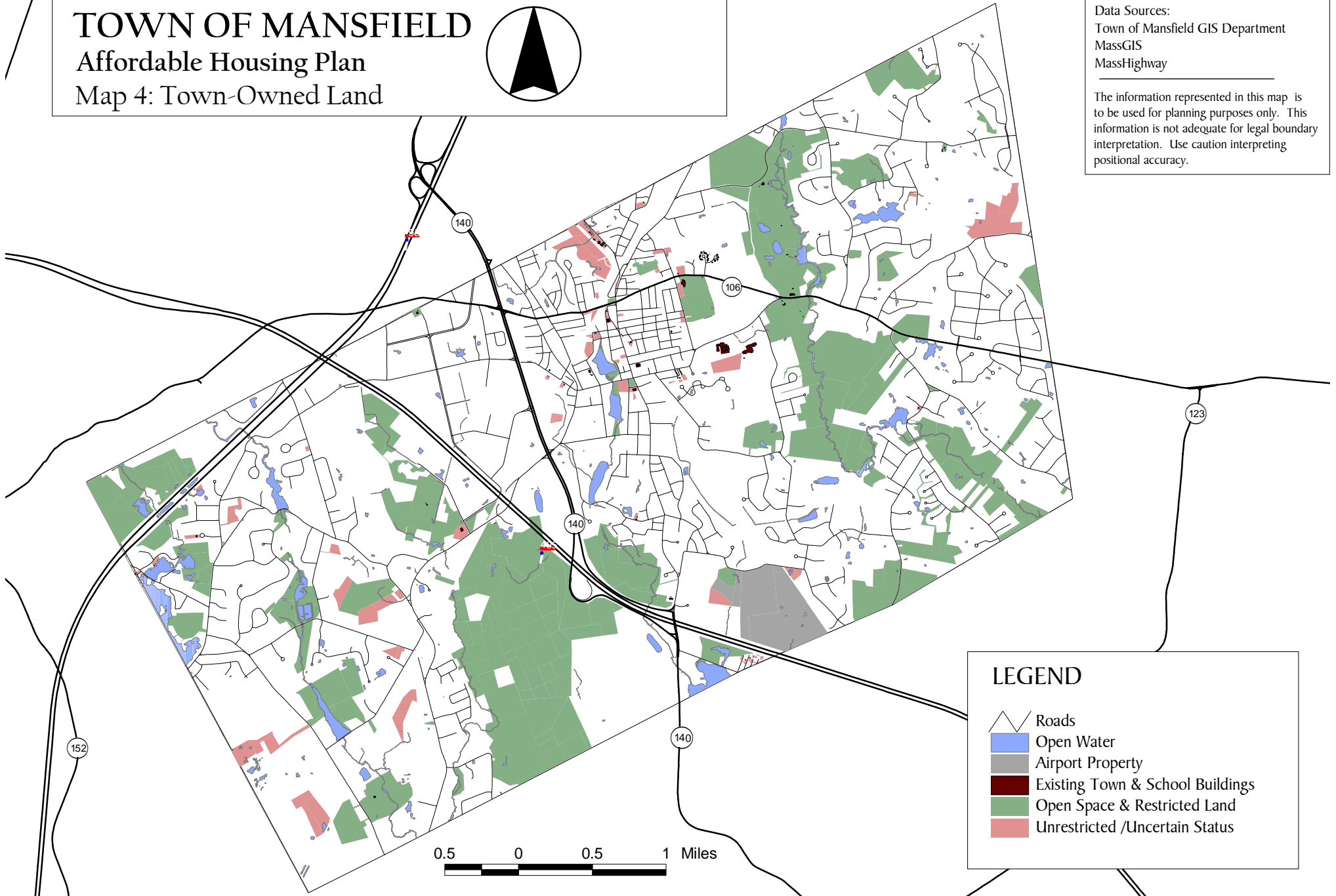
Affordable Housing Plan

Map 4: Town-Owned Land



Data Sources:
Town of Mansfield GIS Department
MassGIS
MassHighway

The information represented in this map is to be used for planning purposes only. This information is not adequate for legal boundary interpretation. Use caution interpreting positional accuracy.



LEGEND

- Roads
- Open Water
- Airport Property
- Existing Town & School Buildings
- Open Space & Restricted Land
- Unrestricted /Uncertain Status